

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON A. MEISINGER,

Defendant.

**8:15CR288****ORDER**

This matter is before the Court on defendant Jason A. Meisinger's ("Meisinger") pro se motion to appoint counsel (Filing No. 49) to assist him in filing a motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(2). In support, Meisinger relies on the First Step Act of 2018 ("First Step Act"), Pub. L. No. 115-391, 132 Stat. 5194 (2018), which "authorizes district courts to reduce the prison sentences of defendants convicted of certain offenses involving crack cocaine" and sentenced before August 3, 2010, *Concepcion v. United States*, 597 U.S. \_\_\_, \_\_\_, No. 20-1650, 2022 WL 2295029, at \*4 (U.S. June 27, 2022), and Amendment 782 to the United States Sentencing Guidelines ("U.S.S.G." or "Guidelines"), which revised the Guidelines applicable to drug-trafficking offenses effective November 1, 2014. In Meisinger's view, he "has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the sentencing commission." More specifically, Meisinger contends his "[d]rug-quantity level shall be drop[ped] from 30 point[s] to 28 points," which would result in a lower Guidelines range.

After careful review, the Court finds the motion should be denied. On April 18, 2016, Meisinger pleaded guilty to conspiring to distribute large quantities of *cocaine*, in violation of 21 U.S.C. § 846. Based in part on his status as a career offender, *see* U.S.S.G. § 4B1.1(b)(3), Meisinger faced an advisory Guidelines range of 151 to 188 months (level

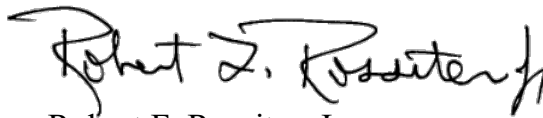
29, category VI). On August 1, 2016, the Court accepted Meisinger's plea agreement and sentenced him to 151 months imprisonment to be followed by 3 years of supervised release.

Given the bases for Meisinger's conviction and sentence, neither the First Step Act nor Amendment 782 provides a compelling reason under the circumstances of this case to appoint counsel to assist Meisinger in preparing his proposed motion. Accordingly, his motion to appoint counsel (Filing No. 49) is denied.

IT IS SO ORDERED.

Dated this 18th day of July 2022.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.  
Chief United States District Judge